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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 03-772)

In re Application of:

Somberg, et al.

Serial No.: 10/655,878

Filed: September 5, 2003

For: Method for Detecting Transferase  
Enzymatic Activity

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)  
) Group Art Unit: 1651  
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) Examiner: TBA  
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) Confirmation No.: 6857  
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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Dear Sir:

In regard to the above-identified patent application:

1. We are transmitting herewith the attached:
  - a. Transmittal Letter
  - b. Third Supplemental Information Disclosure Statement
  - c. Form PTO-1449 with a copy of 16 references
  - d. Return Receipt Postcard
2. With respect to additional fees:  

<u>  x  </u>	A. No additional fee is required.
<u>      </u>	B. Attached is a check in the amount of \$ <u>          </u> .
3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the document(s) as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 24 day of August, 2005.

Date: Aug. 24, 2005

By: 

Emily Miao  
Reg. No. 35,285



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**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. §1.97(b)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In order to comply with discretionary regulations 37 CFR §§1.97 and 1.98, attached hereto is Form PTO-1449 and copies<sup>1</sup> of the documents listed thereon. These documents contain information that the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

1. Berthold et al., U.S. Patent No. 4,390,274 issued 4/21/98
2. Boss et al., U.S. Patent No. 5,741,635 issued 4/21/98
3. Vossen, German Patent No. DE 37 86 279 T2 published 6/23/93

<sup>1</sup>To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated therebetween; if no such English language equivalent is cited, then none is known to the undersigned.

4. Andre et al., German Patent No. DE 689 05 373 T2 published 3/17/93
5. Andre et al., German Patent No. DE 689 12 950 T2 published 2/2/94
6. Orum et al., German Patent No. DE 694 09 830 T2 published 4/22/98
7. Squirrell et al., German Patent No. DE 694 12 790 T2 published 8/26/98
8. International PCT Application No. WO 97/48803 published 12/24/97
9. International PCT Application No. WO 98/37096 published 8/27/98
10. International PCT Application No. WO 98/39444 published 9/11/98
11. International PCT Application No. WO 99/26657 published 6/3/99
12. International PCT Application No. WO 99/09199 published 2/25/99
13. International PCT Application No. WO 00/50631 published 8/31/00
14. Alexandre et al., *Journal of Virological Methods*, Vol. 66, pp. 113-123, 1997.
15. Bessho et al., *J. Nutr. Sci. Vitaminol.*, Vol. 34, pp. 607-614, 1988.
16. Handa et al., *Analytical Biochemistry*, Vol. 102, pp. 332-339, 1980.
17. Idahl et al., *Analytical Biochemistry*, Vol. 155, pp. 177-181, 1986.
18. Ugarova et al., *Analytical Biochemistry*, Vol. 158, pp. 1-5, 1986.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended

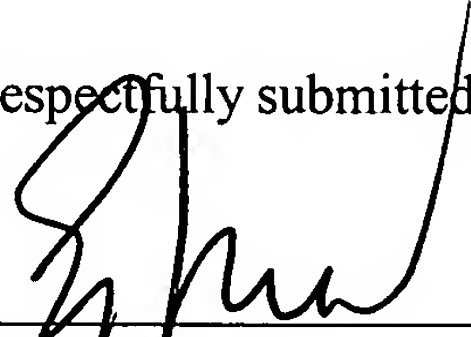
that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

Dated:

Aug. 24, 2005


Respectfully submitted,

  
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Emily Miao

Registration No. 35,285

McDonnell Boehnen Hulbert & Berghoff LLP  
300 South Wacker Drive, Suite 3200  
Chicago, Illinois 60606  
Telephone: (312) 913-0001  
Facsimile: (312) 913-0002

Form PTO-1449      U.S. Department of Commerce Patent and Trademark Office  <b>THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	Atty. Docket No. <div style="text-align: center;">03-772</div>	Serial No. <div style="text-align: center;">10/655,878</div>
	Applicant: Somberg, et al.	
	Filing Date: <div style="text-align: center;">September 5, 2003</div>	Group: 1651

### U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date
	1	4,390,274	6/28/83	Berthold et al.	356	36	1/10/80
	2	5,741,635	4/21/98	Boss et al.	435	4	1/30/96

### FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <span>Translation</span> <span>Yes   No</span> </div>
	3	DE 37 86 279 T2	6/23/93	Germany			X (abstract)
	4	DE 689 05 373 T2	3/17/93	Germany			X (abstract)
	5	DE 689 12 950 T2	2/02/94	Germany			X (abstract)
	6	DE 694 09 830 T2	4/22/98	Germany			X (abstract)
	7	DE 694 12 790 T2	8/26/98	Germany			X (abstract)
	8	WO 97/48803	12/24/97	PCT			
	9	WO 98/37096	8/27/98	PCT			
	10	WO 98/39444	9/11/98	PCT			
	11	WO 99/26657	6/03/99	PCT			
	12	WO 99/09199	2/25/99	PCT			
	13	WO 00/50631	8/31/00	PCT			

<b>Examiner</b>	<b>Date Considered</b>
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with any communication.

Form PTO-1449      U.S. Department of Commerce Patent and Trademark Office  <b>THIRD SUPPLEMENTAL INFORMATION          DISCLOSURE STATEMENT BY APPLICANT</b>	Atty. Docket No.  03-772	Serial No.  10/655,878
	Applicant: Somberg, et al.	
	Filing Date: September 5, 2003	Group: 1651

**OTHER DOCUMENTS - Including Author, Title, Date, Pertinent Pages, Etc.**

	14	Alexandre et al., <i>Journal of Virological Methods</i> , Vol. 66, pp. 113-123, 1997.
	15	Bessho et al., <i>J. Nutr. Sci. Vitaminol.</i> , Vol. 34, pp. 607-614, 1988.
	16	Handa et al., <i>Analytical Biochemistry</i> , Vol. 102, pp. 332-339, 1980.
	17	Idahl et al., <i>Analytical Biochemistry</i> , Vol. 155, pp. 177-181, 1986.
	18	Ugarova et al., <i>Analytical Biochemistry</i> , Vol. 158, pp. 1-5, 1986.

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